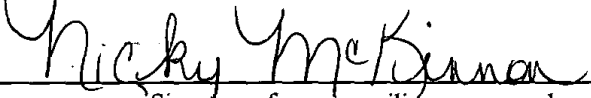




FILE COPY  
Recap B

PATENT  
ATTORNEY DOCKET NO. 50010/007006

Certificate of Mailing: Date of Deposit: <u>July 22, 1999</u>	
I hereby certify under 37 CFR 1.8(a) that this correspondence is being deposited with the United States Postal Service as <b>first class mail</b> with sufficient postage on the date indicated above and is addressed to the Assistant Commissioner of Patents, Washington, D.C. 20231.	
Nicky McKinnon	
Printed name of person mailing correspondence	Signature of person mailing correspondence

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant:	Richard F Selden <i>et al.</i>	Art Unit:	1636
Serial No.:	09/328,130	Examiner:	
Filed:	June 8, 1999		
Title:	IN VIVO PRODUCTION AND DELIVERY OF ERYTHROPOIETIN OR INSULINOTROPIN FOR GENE THERAPY		

Assistant Commissioner of Patents  
Washington, D.C. 20231

PETITION TO CORRECT FILING RECEIPT

Applicant requests that the attached filing receipt be corrected as follows:

Under Applicant(s), Richard F. Selden should read as Richard F Selden (no period after middle initial). Also, the title reads as IN VIVO PRODUCTION AND DELIVERY OF ERYTHROPOITIN OR INSULINOTROPIN FOR GENE THERAPY and should read as IN VIVO PRODUCTION AND DELIVERY OF ERYTHROPOIETIN OR INSULINOTROPIN FOR GENE THERAPY.

Attached is a copy of the incorrect filing receipt and the Utility Patent Application Transmittal Under 37 CFR § 1.53(b) showing the correct information.

If there are any charges, or any credits, please apply them to Deposit Account No. 03-2095.

Respectfully submitted,

Date: July 21, 1999

Susan M. Michaud  
Paul T. Clark      Susan M. Michaud  
Reg. No. 30,162      Reg. No. 42,885

Clark & Elbing LLP  
176 Federal Street  
Boston, MA 02110  
Telephone: 617-428-0200  
Facsimile: 617-428-7045

\\Ceserver\documents\50010\50010.007006 Petition to Correct Filing Receipt.wpd

# FILING RECEIPT



**UNITED STATES DEPARTMENT OF COMMERCE  
Patent and Trademark Office  
ASSISTANT SECRETARY AND COMMISSIONER  
OF PATENTS AND TRADEMARKS  
Washington, D.C. 20231**

APPLICATION NUMBER	FILING DATE	GRP ART UNIT	FIL FEE REC'D	ATTORNEY DOCKET NO.	DRWGS	TOT CL	IND CL
09/328,130	06/08/99	1636	\$1,037.00	50010/007006	7	67	9

PAUL T CLARK  
CLARK & ELBING LLP  
176 FEDERAL STREET  
BOSTON MA 02110



Receipt is acknowledged of this nonprovisional Patent Application. It will be considered in its order and you will be notified as to the results of the examination. Be sure to provide the U.S. APPLICATION NUMBER, FILING DATE, NAME OF APPLICANT, and TITLE OF INVENTION when inquiring about this application. Fees transmitted by check or draft are subject to collection. Please verify the accuracy of the data presented on this receipt. If an error is noted on this Filing Receipt, please write to the Office of Initial Patent Examination's Customer Service Center. Please provide a copy of this Filing Receipt with the changes noted thereon. If you received a "Notice to File Missing Parts of Application" ("Missing Parts Notice") in this application, please submit any corrections to this Filing Receipt with your reply to the "Missing Parts Notice." When the PTO processes the reply to the "Missing Parts Notice," the PTO will generate another Filing Receipt incorporating the requested corrections (if appropriate).

**Applicant(s)** RICHARD F. SELDEN, WELLESLEY, MA; DOUGLAS TRECO, ARLINGTON, MA; MICHAEL W. HEARTLEIN, BOXBOROUGH, MA.

CONTINUING DATA AS CLAIMED BY APPLICANT-

THIS	APPLN	IS	A	CON	OF	08/334,455	11/04/94	
	WHICH	IS	A	CON	OF	07/911,533	07/10/92	ABN
	WHICH	IS	A	CIP	OF	07/787,840	11/05/91	ABN
	WHICH	IS	A	CIP	OF	07/789,188	11/05/91	ABN

IF REQUIRED, FOREIGN FILING LICENSE GRANTED 07/06/99 \*\* SMALL ENTITY \*\*  
TITLE

IN VIVO PRODUCTION AND DELIVERY OF ERYTHROPOITIN OR INSULINOTROPIN  
FOR GENE THERAPY  
ERYTHROPOETIN

## ERYTHROPOIETIN

PRELIMINARY CLASS: 435

DATA ENTRY BY: FLEMING, JEREMY S. TEAM: 01 DATE: 07/06/99

[illegible]

**(See reverse for new important information)**

O I P E  
 JUL 26 1999  
 PATENT & TRADEMARK OFFICE

COPY

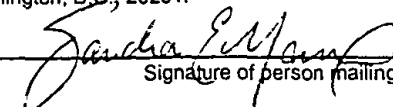
Certificate of Mailing

Date of Deposition: June 8, 1999

Label Number: EL356089537US

I hereby certify under 37 CFR 1.10 that this correspondence is being deposited with the United States Postal Service as "Prepaid Post Office to Addressee" with sufficient postage on the date indicated above and is addressed to: BOX 1000, PATENT APPLICATION, Assistant Commissioner for Patents, Washington, D.C., 20231.

Sandra E. Marxen  
 Printed name of person mailing correspondence

  
 Signature of person mailing correspondence

UTILITY PATENT APPLICATION TRANSMITTAL UNDER 37 CFR §1.53(b)	
Attorney Docket Number	50010/007006
Applicant	Richard F Selden <i>et al.</i>
Title	IN VIVO PRODUCTION AND DELIVERY OF ERYTHROPOIETIN OR INSULINOTROPIN FOR GENE THERAPY
<b>PRIORITY INFORMATION:</b>	
This application is a continuation of and claims priority from United States Patent Application Serial No. 08/334,455, filed November 4, 1994, which is a continuation of U.S. Serial No. 07/911,533, filed July 10, 1992, which is a continuation-in-part of U.S. Serial No. 07/787,840, filed November 5, 1991, which is a continuation-in-part of U.S. Serial No. 07/789,188, filed November 5, 1991.	
<b>APPLICATION ELEMENTS:</b>	
Cover sheet	[1] page
Specification	[54] pages
Claims	[38] pages
Abstract	[1] page
Drawings (Formal) Petition To Accept Black & White Photographs Transmittal of Formal Drawings to Official Draftsperson	[7] pages [2] pages [2] pages
Combined Declaration and POA, which is: <input type="checkbox"/> Unsigned; <input type="checkbox"/> Newly signed for this application; <input checked="" type="checkbox"/> A copy from prior application 08/334,455 and the entire disclosure of the prior application is considered as being part of the disclosure of this new application and is hereby incorporated by reference therein.	[3] pages
Revocation and New Power of Attorney (as previously filed)	[3] pages
Transmittal of Substitute Declarations/Power of Attorney	[2] pages
Substitute Declaration for Patent Application	[3] pages
Sequence Listing on Paper	[3] pages

Small Entity Statement, which is: <input type="checkbox"/> Unsigned; <input type="checkbox"/> Newly signed for this application; <input checked="" type="checkbox"/> A copy from prior application 08/334,455 and such small entity status is still proper and desired.	[2] pages
Preliminary Amendment	[2] pages
IDS	[**] pages
Form PTO 1449	[**] pages
Cited References	[**] pages
Recordation Form Cover Sheet and Assignment	[**] pages
Assignee's Statement	[**] pages
English Translation	[**] pages
Certified Copy of Priority Document	[**] pages
Return Receipt Postcard	1
<b>FILING FEES:</b>	
Basic Filing Fee: \$380	\$380.00
Excess Claims Fee: 67 - 20 x \$9	\$423.00
Excess Independent Claims Fee: 9 - 3 x \$39	\$234.00
Multiple Dependent Claims Fee: \$130	\$0.00
Total Fees:	\$1,037.00
<input checked="" type="checkbox"/> Enclosed is a check for \$130.00 and \$ 1,037.00 to cover the total fees. <input type="checkbox"/> Charge [**AMOUNT**] to Deposit Account No. 03-2095 to cover the total fees. <input type="checkbox"/> The filing fee is not being paid at this time. <input checked="" type="checkbox"/> Please apply any other charges, or any credits, to Deposit Account No. 03-2095.	
<b>CORRESPONDENCE ADDRESS:</b>	
Paul T. Clark Reg. No. 30,162 Clark & Elbing LLP 176 Federal Street Boston, MA 02110	
Telephone: 617-428-0200 Facsimile: 617-428-7045	
<div style="display: flex; justify-content: space-between;"> <div> <i>Susan M. Michaud</i>  Signature <u>Susan M. Michaud Reg. No. 42,885</u> </div> <div> <u>June 8, 1999</u>  Date </div> </div>	